

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims:

- 1) (currently amended) A composition comprising:
  - a) from about 0.01 weight% to about 5 weight%, based on the total weight of the composition, of pyrithione or a polyvalent metal salt of a pyrithione, wherein the pyrithione or polyvalent metal salt of pyrithione is zinc pyrithione;
  - b) from about 0.001 weight% to about 10 weight%, based on the total weight of the composition, of a zinc-containing layered material which provides an augmentation factor greater than 1 wherein the zinc-containing layered material comprises an impurity containing hydroxy-containing basic zinc carbonate and further wherein the ratio of zinc-containing layered material to said pyrithione or a polyvalent metal salt of pyrithione is from about 1:2 to about 3:1.
- 2) (previously presented) A composition according to Claim 1 wherein an augmentation factor of greater than 1.3 is achieved when zinc pyrithione is in combination with a zinc-containing material.
- 3) (previously presented) A composition according to Claim 1 wherein an augmentation factor of greater than 1.5 is achieved when zinc pyrithione is in combination with a zinc-containing material.
- 4) (canceled)
- 5) (canceled)

- 6) (canceled)
- 7) (canceled)
- 8) (previously presented) A composition according to Claim 1 wherein the basic zinc carbonate has a stoichiometry of  $\text{Zn}_5(\text{OH})_6(\text{CO}_3)_2$ .
- 9) (canceled)
- 10) (canceled)
- 11) (previously presented) A composition according to Claim 1 wherein the zinc-containing layered material is present from about 0.01 weight% to about 7 weight%, based on the total weight of the composition.
- 12) (previously presented) A composition according to Claim 1 wherein the zinc-containing layered material is present from about 0.1 weight% to about 5 weight%, based on the total weight of the composition.
- 13) (canceled)
- 14) (previously presented) A composition according to Claim 1 wherein said pyrithione or a polyvalent metal salt of a pyrithione is present from about 0.1 weight% to about 2 weight%, based on the total weight of the composition.
- 15) (previously presented) A composition comprising:
  - (a) an antimicrobially effective amount of zinc pyrithione, and
  - (b) a zinc-containing layered material in an amount sufficient to enhance the efficacy of component (a); with the proviso that component (b) is present in a weight ratio of from about 5:100 to about 10:1 based upon the amount of component (a) present in said

composition and wherein the zinc-containing layered material comprises layers comprising gallery ions between said layers.

16) (canceled)

17) (currently amended) The composition of claim 15 wherein component (b) is present in said composition as an impurity containing basic zinc carbonate.

18) (currently amended) A process for preparing a personal care composition comprising an impurity containing hydroxy-containing basic zinc carbonate, said personal care composition selected from the group consisting of shampoo, soap, skin care medicament, and combinations thereof, said process comprising reacting, in a personal care composition comprising zinc pyrithione, a carbonate or bicarbonate salt that is soluble in the personal care composition with a zinc compound that is soluble or insoluble in the personal care composition, said zinc compound being selected from the group consisting of zinc salts of organic acids, zinc salts of inorganic acids, zinc hydroxide, zinc oxide, and combinations thereof, thereby causing in-situ reaction of the carbonate salt with the zinc salt to form said impurity containing hydroxy-containing basic zinc carbonate in said impurity containing hydroxy-containing basic zinc carbonate-containing personal care composition.

19) (previously presented) The process of claim 18 wherein said zinc compound is zinc hydroxide, and wherein said carbonate salt is sodium carbonate, and wherein said zinc hydroxide is reacted with said sodium carbonate in a molar ratio within a range of between about 1:10 and about 10:1.

20) (currently amended) The process of claim 18 wherein said zinc pyrithione and the impurity containing hydroxy-containing basic zinc carbonate are simultaneously or step wise generated in situ in the personal care composition.

21) (currently amended) A personal care composition selected from the group consisting of shampoo, soap, skin care medicament, and combinations thereof, said personal care composition comprising:

- (a) water, alcohol, or a combination thereof,
- (b) zinc pyrithione, and
- (c) as an augmentation agent for enhancing the antimicrobial efficacy of said zinc pyrithione, particles and a layered film of an in-situ reaction product of a zinc compound selected from the group consisting of zinc salts of organic acids, zinc salts of inorganic acids, zinc hydroxide, zinc oxide, and combinations thereof, said zinc compound being soluble in said water or alcohol, with a carbonate salt other than basic zinc carbonate that is soluble in said water or alcohol wherein the in-situ reaction product comprises an impurity containing hydroxy-containing basic zinc carbonate.

22) (currently amended) A process for preparing personal care composition comprising an impurity containing hydroxy-containing basic zinc carbonate, and zinc pyrithione, said personal care composition being selected from the group consisting of shampoo, soap, skin care medicament, and combinations thereof, said process comprising reacting, in a personal care composition, a carbonate or bicarbonate salt that is soluble in the personal care composition with a zinc compound that is soluble or insoluble in the personal care composition, said zinc compound being selected from the group consisting of zinc salts of organic acids, zinc salts of inorganic acids, zinc hydroxide, zinc oxide, and combinations thereof, thereby causing in-situ reaction of the carbonate salt with the zinc salt to form said impurity containing hydroxy-containing basic zinc carbonate in an amount from about 0.001 weight% to about 10 weight% based on the total weight of the composition, in said personal care composition.

23) (original) A method of treating microbial infections comprising the use of the composition of Claim 1.

24) (original) A method of treating fungal infections comprising the use of the composition of Claim 1.

25) (original) A method of treating dandruff comprising the use of the composition of Claim 1.

26) (currently amended) A process for preparing a personal care composition according to Claim 22 wherein said impurity containing hydroxy-containing basic zinc carbonate is present in an amount from about 0.01 weight% to about 7 weight%, based on the total weight of the composition, of said impurity containing hydroxy-containing basic zinc carbonate in said personal care composition.

27) (currently amended) A process for preparing a personal care composition according to Claim 22, wherein said impurity containing hydroxy-containing basic zinc carbonate is present in an amount from about 0.1 weight% to about 5 weight%, based on the total weight of the composition, of said impurity containing hydroxy-containing basic zinc carbonate in said personal care composition.

28) (previously presented) A composition according to Claim 15 wherein the zinc-containing layered material is obtained synthetically or formed in situ in a composition or during a production process.